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MAR 09 2017

AFFIDAVIT OF SEARCH WARRANT

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

1. I, John Van Wie, am a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), assigned to the Resident Agent in Charge in Ocean City, Maryland and I respectfully submit this affidavit in support of applications to search:

a. The person of Crystal Lynn FRENCH, a white female, date of birth 11/14/1983 in order to retrieve buccal or oral swabs in addition to hair samples in sufficient quantity for scientific testing as it relates to deoxyribonucleic acid (DNA).

b. The person of Matthew Dale BUSH ("M. BUSH"), a white male, date of birth 04/16/1979, in order to retrieve buccal or oral swabs in addition to hair samples in sufficient quantity for scientific testing as it relates to deoxyribonucleic acid (DNA).

c. One iPhone 6, IMEI 35 923106 580832 9.

d. Two Facebook accounts, stored at premises owned, maintained, controlled or operated by Facebook, Inc., a social-networking company headquartered in San Francisco, California:

Crystal FRENCH, Facebook screen name Crystal L Bush, Facebook URL

<https://www.facebook.com/crystal.french.9>

Matthew BUSH, Facebook screen name Matthew Bush, Facebook URL

<https://facebook.com/BADSSBOY>

2. I have been a Special Agent with HSI since May 2003. My duties as a Special Agent include investigating a wide variety of criminal offenses including Felon in Possession of a Firearm, Conspiracy, Bank Larceny, Interstate Transportation of Stolen Vehicles, and Interstate

Transportation of Stolen Goods, in violation of 18 U.S.C. Sections 922, 371, 2113(b), 2312 and 2314, respectively.

3. Since I am submitting this affidavit for the limited purpose of securing a search warrant, I have not included every fact known to me concerning this investigation. I base the information contained in this affidavit, in part, on my first-hand knowledge, and on information given to me by other law enforcement agencies.

Probable Cause

4. In November 2017, the Queen Anne's (QA) County Office of the Sheriff (hereinafter "QA Sheriff") contacted me in regards to M. BUSH, a suspect in a string of burglaries and robberies conducted in Maryland, Delaware and Virginia. M. BUSH has an extensive criminal history including multiple arrests and convictions for assault, burglary and theft in Maryland and Delaware. Detective Russell provided the following information:

5. On Sunday, October 8, 2017, QA Sheriff was dispatched to the Shore Stop convenience store located at 100 Main Street Stevensville, Queen Anne's County, Maryland 21666, in reference to a burglary/theft complaint and report of a burglary alarm at 0205 Hours. Upon arrival, deputies observed the front, double glass doors had been smashed (causing damage over \$1,000.00) and the ATM machine removed from the building. While at the scene, law enforcement spoke to a witness who had observed a two-tone dark gray over light gray, Dodge pickup truck backed up to the front, double glass doors. The witness observed the vehicle drive off pulling the ATM machine through the front doors of the business with a chain/rope. Law enforcement reviewed the security footage and confirmed the vehicle description and the fact that the suspect used a sledgehammer to smash the front door glass enough to reach in and unlock the front door. The suspect vehicle was missing the front tag but the video captured the

rear tag: Maryland registration 84T031. Anne Arundel County (AAC) Police reported this tag registration stolen on October 4, 2017.

6. On September 5, 2017, a male broke into the Chester Convenience store, also located in Queen Anne's County, Maryland by smashing the glass out of the front double glass doors. Once inside, the male suspect attached a chain/rope to the ATM and pulled it through the front glass window, causing over \$1,000.00 worth of damage. The security footage captured a white male with a beard approaching the business looking directly into the camera before turning around and placing a mask on his face. Law enforcement compared the white male seen in the security video from the Chester Convenience Store with the photographs taken from the Shore Stop burglary on October 8, 2017 and noted the two men appeared to be the same person. DNA evidence (blood) was collected from the scene of the Chester Convenience Store burglary and submitted for analysis.

7. Through interviews with relevant representatives, I learned that the ATM at Chester Convenience Store was placed by Americas ATM and filled by WSFS Bank and their subsidiary, Cash Connect. WSFS is a member of the Federal Deposit Insurance Corporation (FDIC).

8. The Maryland State Police (MSP) and the Delaware State Police (DSP) contacted QA Sheriff's about three similar incidents, one that took place in Dorchester County, Maryland and two others in Delaware. After reviewing the evidence from the various investigations, law enforcement determined that the same individual more than likely committed all of the burglaries based on several factors including the method of the crime, the vehicle used in the crime and the physical description of the suspect. MSP obtained a DNA sample from evidence recovered from the crime that took place in Dorchester County, Maryland. MSP is

holding this DNA evidence pending a search warrant and known DNA sample of the offender.

9. The Eastern Shore Information Center (ESIC) set up an alert through the Maryland (LPR) License Plate Reader for Maryland registration 84T031. The system returned that the stolen tag displayed on a blue Ford F-350 had traveled eastbound on US Route 50, crossing the Chesapeake Bay Bridge on October 3, 2017. The system also returned that the stolen tag had traveled eastbound on US Route 50, crossing the Chesapeake Bay Bridge on October 7, 2017 but that the tag displayed at that time was on the suspect vehicle used in the burglary of the Shore Stop Convenience store on October 8, 2017.

10. On October 14, 2017, the system returned that the stolen tag displayed on a white Ford F-350 dual wheel pick-up truck had traveled East bound route 50 crossing the Chesapeake Bay bridge and broadcasted an alert to the MSP, and the QA Sheriff's Office. MSP attempted to conduct a traffic stop on the vehicle on eastbound US Route 50 at exit 45A. The driver failed to stop and the chase continued on eastbound US Route 50 towards Talbot county, in the area of eastbound US Route 50 and Route 662, Queen Anne's County, MD. The police deployed stop-sticks, striking the suspect vehicle and causing the tires to deflate. The vehicle continued to flee from police onto US Route 404, crossing into the state of Delaware. The police found the vehicle in Harrington, Delaware and determined it had been stolen from Chestertown, Maryland. DSP processed the vehicle, recovering DNA and fingerprints from inside the passenger compartment and submitted the items for analysis.

11. On October 17, 2017, DSP reported that the fingerprints came back to Matthew Dale BUSH (M. BUSH) W/M DOB 4/16/1979, last known address of 119A Rebel Road Grasonville Queen Anne's County, MD 21638.

12. On October 17, 2017, Detective Russell responded to the residence of 119A Rebel road Grasonville Queen Anne's County, MD 21638 and observed a Blue F-350 pickup in the driveway of the residence. The vehicle was not displaying a rear tag and matched the description of the blue F-350 seen crossing the Chesapeake Bay Bridge on October 3, 2017. Law enforcement took photographs of the Blue F-350 compared the photographs obtained by the LPR system and found the two vehicles to be an exact match.

13. Detective Russell obtained photographs of M. BUSH and compared them to still pictures obtained from the Shore Stop security system and the Chester Convenience Store security system. The photographs appear to be of the same person.

14. Law enforcement also determined that M. BUSH had been seen driving several different vehicles recently but according to database checks, M. BUSH had no reported income since January 2016.

15. Based on the above information, law enforcement obtained a state search warrant for the residence located at 119A Rebel Road, Grasonville, MD. On October 19, 2017, just prior to the execution of the search warrant, surveillance at the residence saw a man and a woman later identified as M. BUSH and his wife Crystal Lynn FRENCH depart the residence in a green Mercedes. Upon observing a marked Queen Anne's County patrol vehicle, the subjects fled the scene at a high rate of speed.

16. The police executed the search warrant at the residence and found indicia that both M. BUSH and C. FRENCH lived there. The police found and seized physical evidence connecting M. BUSH and C. FRENCH to the ATM burglaries including: (a) tow straps similar to the tow straps used to pull the ATM machines from the stores; (b) sledgehammers similar to what was used to break the glass at the burglaries; (c) masks and clothing similar to what was

worn by the suspects seen in the surveillance videos at the burglaries; and (d) a Dodge Van containing several damaged ATM machines. The police also found an HTC Black and Silver Model PN07200 Cell phone belonging to C. FRENCH and a loaded Mossberg 12 Gauge Shotgun near the bed where M. BUSH slept. M. BUSH is prohibited from possessing a firearm based on previous felony convictions.

17. Later on October 19, 2017, the police located and detained C. FRENCH. She admitted to investigators that she, C. FRENCH, was aware of the burglaries of ATM machines and admitted to participating in some of the burglaries including the two ATM burglaries in Queen Anne's County, Maryland.

18. On October 23, 2017, the Baltimore County Police arrested M. BUSH and C. FRENCH after a bank robbery at a Sun Trust Bank in Perry Hall, Maryland. M. BUSH reportedly produced a note demanding money to the bank teller. The bank teller, fearing for her safety, removed currency from the bank drawer and handed it to M. BUSH who attempted to flee the area in a black Chevy pickup truck. The truck was pursued into Baltimore City where it eventually crashed. The police apprehended both M. BUSH and C. FRENCH. The black Chevy pickup truck had been recently reported stolen from Lancaster County, Pennsylvania. The police also determined that the same stolen, black Chevy pickup truck was involved in a burglary at a High's convenience store located in Harford County, Maryland where two masked individuals broke the glass to the front door of the store, entered the store and stole approximately 86 packs of cigarettes.

19. Baltimore County authorities charged M. BUSH and C. FRENCH with the bank robbery. The police seized from M. BUSH and C. FRENCH pursuant to arrest items to include

an iPhone 6 believed to belong to M. BUSH (IMEI 35 923106 580832 9) and some of the cigarettes stolen earlier that day from the High's store in Harford County.

20. M. BUSH is currently detained in Baltimore County, Maryland and has been there since the day of his arrest on October 23, 2017. C. FRENCH was released on bail but arrested on December 12, 2017 on state theft charges related to the High's burglary in Harford County, Maryland. C. FRENCH is currently being held at the Harford County Detention Center.

21. M. BUSH and C. FRENCH are also suspects in two additional ATM burglary investigations in Loudoun County, Virginia as well as multiple car thefts and vending machine burglaries in Delaware.

22. On October 24, 2017, a state search warrant was issued for the cellular telephone belonging to C. FRENCH seized during the search warrant at 119A Rebel Road, Grasonville, MD on October 19, 2017. The analysis revealed that the phone number of the subscriber is 302-377-3939 and the service provider is Sprint. Investigators retrieved communications between M. BUSH using phone number 443-239-1250 and C. FRENCH using phone 302-377-3939 that appear to be indicative of criminal activity. For example, I have summarized below a text string between M. BUSH and C. FRENCH dated October 14, 2017, the same day that M. BUSH engaged police on a pursuit into Delaware with the stolen Ford F-150 bearing Maryland registration 84T031.

C. FRENCH: How long before you get here?

M. BUSH: I'm on the bridge. Ten Minutes

C. FRENCH: I'll be in the garage eating cereal I can't take my phone off the charger it will die just meet me in the garage

M. BUSH: Baby I got three of them on my ass. WTF

23. Summarized below is another text string from October 19, 2017 and appears to ^{JDU}
have taken place just prior to Queen Anne's County Office of the Sheriff arresting C. ^{FRENCH} ~~BUSH~~ ^{NY} the
day of the search warrant at 119A Rebel Road, Grasonville, MD.

M. BUSH: Just act like you have no idea what is going on. I love you princess. I was with you

C. FRENCH: You were with me when husband. I love you too husband. I don't know nothing about nothing. Change your facebook profile and cover pictures to something from the wedding.

Text messages later continue:

C. FRENCH: I'm about to be arrested. Can't talk hiding in mom's truck

M. BUSH: What no baby. Please baby no.

C. FRENCH: Cops are at school waiting for me

M. BUSH: Leave. Baby.

24. An open source search of Facebook for M. BUSH and C. FRENCH was conducted. Facebook accounts with public profile pages were found for both M. BUSH, screen name Matthew Bush at Facebook URL <https://www.facebook.com/BADSSBOY> and C. FRENCH, screen name Crystal L Bush at Facebook URL <https://facebook.com/crystal.french.9>. The profile pages for both M. BUSH and C. FRENCH had identical profile pictures of M. BUSH and C. FRENCH together and posing for a photo at what appears to be their wedding. Both profile pages reference the fact that M. BUSH and C. FRENCH are married. The M. BUSH profile picture was last updated on October 19, 2017, the same day that C. FRENCH advised M. BUSH to update his profile page in the text conversation listed in paragraph 23 of this affidavit.

25. On October 27, 2017, law enforcement received the results from the DNA samples collected at the crime scene of the ATM robbery at the Chester convenience store on September 5, 2017 and reflected a positive match for M. BUSH. The DNA sample taken by the MSP from the ATM burglary in Dorchester County, Maryland is being held pending a search warrant and submission of a known DNA sample.

26. Based on the above information, it is my belief that there is probable cause to believe that the taking and analysis of a buccal/oral swab for DNA as well as a hair sample from M. BUSH and C. FRENCH will provide additional evidence of violations of, respectively, 18 U.S.C. Sections 922(g)(Felon in Possession of a Firearm; 371 (Conspiracy); 2113(b) (Bank Larceny); 2312 (Interstate Transportation of Stolen Vehicles) and 2314 (Interstate Transportation of Stolen Goods).

Facebook

27. Further, I know that Facebook is a free social networking website that provides a host of services to its users. Facebook uses the term "Neoprint" to describe an expanded view of a given user profile. Facebook users can post "status" updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. A particular user's profile page includes a "Wall," which is a space where the user and his or her "Friends" can post messages, attachments, and links.

28. Facebook has a Photos application, where users can upload images and videos. Another feature of the Photos application is the ability to "tag" (i.e., label) other Facebook users in a photo or video. For Facebook's purposes, a user's "Photoprint" includes all photos uploaded by that user that have not been deleted, and all photos uploaded by any user that have that user tagged in them. Facebook users can exchange private messages with one another by sending the message to the recipient's "Inbox" on Facebook. Facebook stores copies of messages sent by the recipient, as well as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles.

29. Based on my training and experience, and information I have learned from other law enforcement officers, I know that electronic communication service providers offer

subscribers accounts with many gigabytes of storage for no charge and that emails, documents and media files can be stored for indefinite periods of time on the computer systems of the service providers, even if the user believes that the information has been deleted or is no longer available. In response to search warrants, electronic communications service providers have produced emails and other content sent or received many years prior to the preservation of the accounts or service of a search warrant.

30. Based on the information stated above, it is my belief that M. BUSH and C. FRENCH communicate with each other through various means including cellular telephone, text messages and Facebook. Thus, I have probable cause to believe that the records and information related to the Facebook accounts of M. BUSH and C.FRENCH, that is, (<https://facebook.com/BADSSBOY> and (<https://www.facebook.com/crystal.french.9>), respectively, which are the subject of a federal preservation letter in the course of this investigation, are still present on the systems of the service provider.

INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

31. I anticipate executing the warrant to search the Facebook accounts under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the government copies of the records and other information (including the content of communications) described in Attachment B1 to search for the information detailed in Attachment B1.

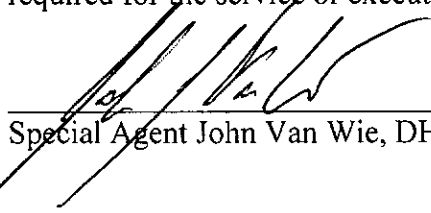
32. Accordingly, I hereby respectfully request that this Court issue a search and seizure warrant for the person of Matthew M. BUSH and C. FRENCH in order to obtain samples of their DNA (deoxyribonucleic acid), to be collected from them via a buccal or oral swab and hair samples in accordance with established procedures and to be analyzed forensically in

accordance with the applicable valid established procedures. It is also requested the court issue a search and seizure warrant for one iPhone 6, IMEI 35 923106 580832 9 belonging to M.

BUSH and two Facebook accounts: (a) <https://facebook.com/BADSSBOY> and (b) <https://www.facebook.com/crystal.french.9>.

33. This Court has jurisdiction to issue the requested warrants to search records on the computer systems in control of Facebook because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711(3) and 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of the United States . . . that has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(I).

34. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of the Facebook portion of this warrant.


Special Agent John Van Wie, DHS, HSI

2/21/18
Date

Subscribed and sworn before me this 21st day of February 2018:


Honorable A. David Copperthite
United States Magistrate Judge